

**JOHN C. ELLIS, JR.**  
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**FEDERAL DEFENDERS OF SAN DIEGO, INC.**  
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Attorneys for Sergio Santos

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
(HONORABLE IRMA E. GONZALEZ)

UNITED STATES OF AMERICA,	)	Case No. 07CR3216-IEG
	)	
Plaintiff,	)	DATE: January 14, 2008
	)	TIME: 2:00 p.m.
v.	)	
	)	NOTICE OF MOTIONS AND MOTIONS TO:
	)	
	)	1) DISMISS INDICTMENT;
	)	2) STRIKE SURPLUSAGE FROM THE
	)	INDICTMENT;
SERGIO SANTOS,	)	3) PRODUCE GRAND JURY
	)	TRANSCRIPTS;
Defendant.	)	4) SUPPRESS STATEMENTS;
	)	5) COMPEL DISCOVERY AND PRESERVE
	)	EVIDENCE; AND
	)	6) GRANT LEAVE TO FILE FURTHER
	)	MOTIONS

TO: KAREN P. HEWITT, UNITED STATES ATTORNEY; AND  
JOSEPH J.M. ORABONA, ASSISTANT UNITED STATES ATTORNEY:

**PLEASE TAKE NOTICE** that, on Monday, January 14, 2008, at 2:00p.m., or as soon thereafter as counsel may be heard, the accused, Sergio Santos, by and through his attorneys, John C. Ellis, Jr., and Federal Defenders of San Diego, Inc., will ask this Court to enter an order granting the motions listed below.

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**MOTIONS**

Sergio Santos, by and through his attorneys, John C. Ellis, Jr., and Federal Defenders of San Diego, Inc., pursuant to the United States Constitution, Federal Rules of Criminal Procedure, and all other applicable statutes, case law and local rules, hereby moves this Court for an Order:

- 1) To Dismiss Indictment
- 2) To Strike Surplusage from the Indictment;
- 3) To Produce Grand Jury Transcripts;
- 4) To Suppress Statements;
- 5) To Compel Discovery and Preserve Evidence, and
- 6) To Grant Leave to File Further Motions.

These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, and any and all other materials that may come to this Court's attention at the time of the hearing on these motions.

Respectfully submitted,

DATED: December 28, 2007

/s/ John C. Ellis, Jr.  
**JOHN C. ELLIS, JR.**  
Federal Defenders of San Diego, Inc.  
Attorneys for Sergio Santos  
john\_ellis@fd.org